1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON 8 AT SEATTLE, WASHINGTON 9 CASE NO. 2:23-cv-01880-MLP RONNY R. TULL, JR., and LAUREL TULL, 10 Plaintiffs, 11 STIPULATION AND [PROPOSED] v. ORDER TO DISMISS IMPROPERLY 12 UNITED SERVICES AUTOMOBILE NAMED DEFENDANTS ASSOCIATION, USAA INSURANCE 13 AGENCY, INC., USAA CASUALTY INSURANCE COMPANY, and USAA NOTE ON MOTION CALENDAR: 14 GENERAL INDEMNITY COMPANY, January 12, 2024 15 Defendants. 16 17 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs, Ronny R. Tull, Jr. 18 and Laurel Tull (collectively "Plaintiffs") and Defendant United Services Automobile Association 19 ("Defendant") (collectively "the Parties"), through their undersigned counsel, hereby stipulate as 20 follows: 21 WHEREAS, on December 7, 2023, Plaintiffs filed their Complaint for Breach of Contract, 22 Bad Faith Insurance Conduct, and Violations of Washington's Insurance Fair Conduct Act 23 ("IFCA") as against Defendants, United Services Automobile Association, USAA Insurance 24 Agency, Inc., USAA Casualty Insurance Company, and USAA General Indemnity Company. 25 WHEREAS, on December 12, 2023, Plaintiffs Complaint was served on Defendants. 26 WHEREAS, the Parties seek to dismiss the improperly named defendants, USAA 27 Insurance Agency, Inc., USAA Casualty Insurance Company, and USAA General Indemnity 28

STIPULATION AND [PROPOSED] ORDER TO DISMISS IMPROPERLY NAMED DEFENDANTS No. 2:23-CV-01880-MLP – Page 1 DKM LAW GROUP, LLP 1700 7<sup>th</sup> Ave, Suite 2100 Seattle, WA 98101 Tel: (206) 407-2518

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1	Company.
2	IT IS HEREBY STIPULATED AND AGREED by the Parties, through their counsel,
3	that pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), defendants USAA Insurance
4	Agency, Inc., USAA Casualty Insurance Company, and USAA General Indemnity Company are
5	dismissed with prejudice from the above-entitled matter.
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7	Dated: January 12, 2024 ELK & ELK, CO., LTD.
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9	By <u>/s/ Egan Kilbane</u> Egan Kilbane, Esq. (WSBA No. 47610)
10	ekilbane@elkandelk.com 1000 Second Avenue, Suite 2940
11	Seattle, WA 98104 Attorneys for Plaintiffs
12	RONNÝ R. TULL, JR. and LAUREL TULL
13	Dated: January 12, 2024 <b>DKM LAW GROUP, LLP</b>
14	By /s/ Brian R. Davis
15	By <u>/s/ Brian R. Davis</u> BRIAN R. DAVIS (WSBA No. 53414) BRD@dkmlawgroup.com
16	MELISSA O'CONNOR (WSBA No. 53907) MOC@dkmlawgroup.com
17	KERI L. SALET (WSBA No. 61150)  KLS@dkmlawgroup.com
18	1700 7 <sup>th</sup> Ave, Suite 2100 Seattle, WA 98101
19	Attorneys for Defendant
20	UNITED SERVICES AUTOMOBILE ASSOCIATION
21	
22	PURSUANT TO STIPULATION, IT IS SO ORDERED, this 12th day of January,
23	2024.
24	Mykelism
25	MICHELLE L. PETERSON
26	United States Magistrate Judge
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STIPULATION AND [PROPOSED] ORDER TO DISMISS IMPROPERLY NAMED DEFENDANTS No. 2:23-CV-01880-MLP – Page 2 **DKM LAW GROUP, LLP** 1700 7<sup>th</sup> Ave, Suite 2100 Seattle, WA 98101 Tel: (206) 407-2518